

REMARKS

By this amendment, claims 4, 22, and 25 have been amended. New claim 28 has been added. Claims 3-6, 9-12, and 15-28 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Claims 4, 22, and 25 have been amended to correct typographical errors and are in condition for allowance.

Claims 3-6, 9-12, and 15-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roy et al. (US 6,496,859) in view of Shimizu et al. (US 6,609,162). This rejection is respectfully traversed. M.P.E.P. §2143 delineates the three criteria for establishing a *prima facie* case of obviousness as: 1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The Office Action has failed to make a *prima facie* case of obviousness under this M.P.E.P. provision. None of the cited references contain a suggestion or a motivation for their combination. None of the references sets forth a reasonable expectation of success in their combination. The Office Action does not identify where a suggestion to combine the references exists or why a reasonable expectation of success of combining the references exists. Rather, information contained in the current application is impermissibly used, in hindsight, to pick and choose features of the references to combine to arrive at the present invention.

The invention of Roy et al. is directed toward allowing a user to view a list of all devices on a network and to find unknown devices, minimizing loss of data packets when a search for network devices is performed, and allowing a user to view a webpage for a single device. The invention of Shimizu et al. is directed toward providing a user interface for functions of multiple devices, where the devices are connected to a network. Without reading the current application, one skilled in the art would have no motivation to combine the references to produce the claimed invention.

The Office Action asserts that Roy et al. teaches collection or adding information from and about all located devices. However, Roy et al. merely discloses a system where a device connected to a network is retrieved, and the newly discovered device is added into a list of "SNMP Info," and device name when is registered in the list or status of the device is shown on a web page. This feature is clearly shown at column 6, line 3 and in FIGs. 6 and 7 of Roy et al. Roy et al. fails to disclose a unique feature of the present invention that an optimum device can be selected by inputting a function which is necessary for a user, because Roy et al. displays only a device list. Therefore, the present invention is not obvious over the cited references.

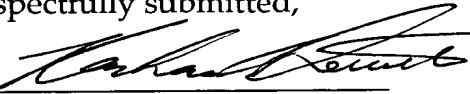
Since Roy et al. and Shimizu et al., even when combined, do not teach or suggest all of the limitations of claims 19, 22, and 25, claims 19, 22, and 25 are not obvious over the cited references. Claims 3-6 and 20-21 depend from claim 19 and are patentable at least for the reasons mentioned above. Claims 9-12 and 23-24 depend from claim 22 and are patentable at least for the reasons mentioned above. Claims 15-18 and 26-27 depend from claim 25 and are patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 3-6, 9-12, and 15-27 be withdrawn.

New claim 28 includes the limitations of claims 19 and 21. Applicant respectfully submits that the referenced section of Roy et al. does not teach or suggest the cited limitations. The cited passage includes only claim 4 and parts of claims 3 and 5. There is no table creating unit which creates a table related to a priority order of the devices as recited in claim 28.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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